

UNITED STATES BANKRUPTCY COURT
District of Minnesota

In Re: **BARBARA JEAN HOFER**

Case No.
Chapter **13**

CHAPTER 13 PLAN

NOTICE

THIS PLAN CONTAINS EVIDENTIARY MATTER WHICH, IF NOT CONTROVERTED, MAY BE ACCEPTED BY THE COURT AS TRUE, CREDITORS CANNOT VOTE ON THIS PLAN BUT MAY OBJECT TO ITS CONFIRMATION PURSUANT TO BANKRUPTCY CODE § 1324, AND LOCAL RULES. ABSENT ANY SUCH OBJECTION, THE COURT MAY CONFIRM THIS PLAN AND ACCEPT THE VALUATION AND ALLEGATIONS CONTAINED HEREIN

The Debtor(s) above named hereby proposes the following plan:

1. DEBTS. All debts are provided for by this plan. Only creditors holding claims duly proved and allowed shall be entitled to payments from the trustee. Trustee shall not file a claim on behalf of any creditor.

2. PAYMENTS BY DEBTOR -

- a. As of the date of this plan, the debtor has paid the trustee **\$0.00.**
- b. After the date of this plan, the debtor will pay the Trustee **\$254.00** per **Month** for **60** months, beginning within 30 days after the filing of this plan for a total of **\$15,240.00.**
- c. The debtor will also pay the trustee: **\$0.00**
- d. The debtor will pay the trustee a total of **\$15,240.00** [line 1(a) + 1(b) + line 1(c)].

3. PAYMENTS BY TRUSTEE - The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's fee of 10.00% for a total of **\$1,524.00** [line 1(d) x .10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

4. DEBTORS' ATTORNEY.

NAME	FEE	PAID TO DATE	BALANCE DUE	SCHEDULE
JAMES D. SANDSMARK	\$800.00	\$0	\$800	FEES BEING PAID BY LEGAL SERVICES OF NORTHWEST MINNESOTA

5. **PRIORITY CLAIMS** - The trustee shall pay in full all claims entitled to priority under Section 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

CREDITOR	PRIORITY CLAIM	---PAYMENT SCHEDULE---		TOTAL
		PAYMENT	MONTH LENGTH	
None				

6. **LONG-TERM SECURED CLAIMS NOT IN DEFAULT** - The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

Name of Creditor	Description of Property
CHRYSLER FINANCIAL	2001 JEEP CHEROKEE

7. **HOME MORTGAGES IN DEFAULT [Sec. 1322(b)(5)]** - The trustee will cure defaults (plus interest at 7.5%) on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

CREDITOR	AMOUNT OF DEFAULT	MONTHLY PAYMENT	BEGIN IN MONTH #	NO. OF PAYMENTS	TOTAL
WASHINGTON MUTUAL	\$8,549.50	\$228.60	1	43	\$9,829.98

8. **OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [Sec. 1322(b)(5)]** - The trustee will cure defaults (plus interest per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

CREDITOR	SECURED	---PAYMENT SCHEDULE---			TOTAL
	CLAIM	PAYMENT	MONTH	LENGTH	

None

9. **OTHER SECURED CLAIMS [Sec. 1325(a)(5)]** - The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8.00 percent. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. SEC. 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED CLAIM UNDER 11 U.S.C. SEC. 506(a).

CREDITOR	SECURED	---PAYMENT SCHEDULE---			TOTAL
	CLAIM	PAYMENT	MONTH	LENGTH	

None

10. **SEPARATE CLASS OF UNSECURED CREDITORS** - In addition to the class of unsecured creditors specified in paragraph 9, there shall be a separate class of nonpriority unsecured creditors described as follows: (Cosigned debts shall be paid at the contract rate of interest):

Classification	Creditor
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None

- a. The debtor estimates that the total claims in this class are \$0.00
- b. The trustee will pay this class \$0.00

11. **TIMELY FILED UNSECURED CREDITORS** - The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid otherwise hereunder their rata share of approximately \$ 3,886.02.

- a. The debtor estimates that the total unsecured claims held by creditors listed in paragraph 10 are \$0.00.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in paragraph 10) are \$36,359.07.
- c. Total estimated unsecured claims are \$36,359.07 [line 11(a) + line 11(b)].

12. Debtors submit all future disposable earnings or other future income to such supervision of the Trustee as is necessary for the execution of this plan.

13. **OTHER PROVISIONS -**

None

14. **SUMMARY OF PAYMENTS -**

Trustee's Fee	\$ 1,524.00
Attorney's Fees	\$0.00
Priority Claims	\$0.00
Home Mortgage Defaults	\$ 9,829.98
Long-Term Debt Defaults	\$0.00
Other Secured Claims	\$0.00
Separate Class	\$0.00
Unsecured Creditors	\$ 3,886.02
TOTAL	<hr/> \$15,240.00

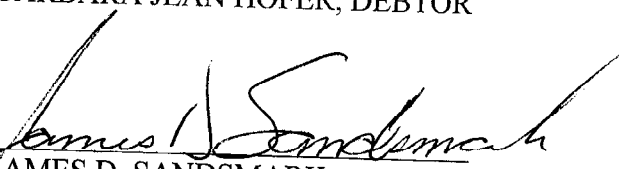
Attorney for Debtor:

James D. Sandsmark
Bar No: 04194 (ND)
921 Second Avenue South
Fargo, N.D. 58103
(701) 237-0022

Date: 10-15-04

Signed: 
BARBARA JEAN HOFER, DEBTOR

Date: 10/15/04

Signed: 
JAMES D. SANDSMARK

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LIQUIDATION ANALYSIS

<u>Property</u>	<u>Market Value</u>	<u>Liens</u>	<u>Debtors' Equity</u>	<u>Exempt Amount</u>	<u>Exemption</u>	<u>Balance</u>
1.Cash	\$ 20.00	0.00	\$ 20.00	\$ 20.00	11 USC §522(d)(3)	\$ 0.00
2. Checking and savings accounts	300.00	0.00	300.00	300.00	11 USC §522(d)(3)	0.00
3.Household Goods,Etc.	1,500.00	0.00	1,500.00	1,500.00	11 USC §522(d)(3)	0.00
4. Clothes	300.00	0.00	300.00	300.00	11 USC §522(d)(3)	0.00
5. Vehicles	14,000.00	12,175.56	1,824.44	1,824.44	11 USC §522(d)(2)	0.00
6. Jewelry	1,000.00	0.00	1,000.00	1,000.00	11 USC §522(d)(4)	0.00
7. Office Equipment	150.00	0.00	150.00	15 0.00	11 USC §522(d)(3)	0.00
8. Homestead	90,000.00	91,300.00	0.00	0.00	11 USC §522(d)(1)	0.00
TOTAL:	\$107,270.00	\$103,475.56	\$ 4,794.44	\$ 4,794.44		0.00

Summary of Liquidation Results

Amount Available on Liquidation:	\$ 4,794.44
Less Exempted Amounts:	\$ 4,794.44
Less Administrative Fees:	<u>0.00</u>
Remaining Balance:	0.00
 Payments to Priority Claims:	 <u>0.00</u>
Available to General Unsecured:	0.00
 Total of General Unsecured under Chapter 7:	 \$36,359.07
Percent Distribution under Chapter 7:	0.00%